



Entered on Docket
August 03, 2009

Hon. Linda B. Riegle
United States Bankruptcy Judge

Prepared and presented by:

J. Thomas Beckett, Utah Bar 5587
Admitted Pro Hac Vice, Docket No. 224
David P. Billings, Utah Bar #11510
Admitted Pro Hac Vice, Docket Nos. 225
PARSONS BEHLE & LATIMER
One Utah Center
201 South Main Street, Suite 1800
Salt Lake City, UT 84111
(801) 536-6700
tbeckett@parsonsbehle.com;
dbillings@parsonsbehle.com

Rew R. Goodenow, Bar 3722
Karl Olsen, Bar 6767
PARSONS BEHLE & LATIMER
50 West Liberty Street, Suite 750
Reno NV 89501
(775) 323-1601
rgoodenow@parsonsbehle.com

Proposed Counsel to the Official Committee

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA

In re:

THE RHODES COMPANIES,
aka "Rhodes Homes, et al.,"

Debtors.

Case No. BK-S-09-14814-LBR
(Jointly Administered)

Chapter 11

Honorable Linda B. Riegle

25 ORDER GRANTING APPLICATION OF THE OFFICIAL
26 COMMITTEE OF UNSECURED CREDITORS OF THE
27 RHODES COMPANIES TO EMPLOY PARSONS BEHLE &
28 LATIMER AS GENERAL BANKRUPTCY COUNSEL, NUNC
PRO TUNC TO THE DATE OF THE COMMITTEE'S
SELECTION OF THE FIRM

Upon the June 18, 2009 application (the "Application") of the above-captioned Official Committee of Unsecured Creditors of *In re the Rhodes Companies, LLC* (the "Committee") seeking authorization to employ and retain Parsons, Behle & Latimer ("Parsons Behle" or the "Firm") as counsel for the Committee [docket # 249]; upon the Declaration of J. Thomas Beckett in Support of Committee's Application for Authorization to Engage Parsons Behle & Latimer as its Counsel (the "Beckett Declaration"), which was submitted concurrently with the Application [docket #250]; the Court finding that: (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334 and reference from the District Court pursuant to 28 U.S. C. § 157; (b) notice of the Application and the hearing on the Application was sufficient under the circumstances and no further notice need be given; (c) the Court being satisfied, based on the representations made in the Application and the Beckett Declaration that Parsons Behle represents or holds no interest adverse to the Debtors or the Debtors' estates with respect to the matters upon which it is to be engaged, and is disinterested as that term is defined under section 101(14) of the Bankruptcy Code; the Court having determined that the legal and factual bases set forth in the Application, the Statement and the Beckett Declaration establish just cause for the relief granted herein; there having been no objections to the Application filed in the docket in this case; and it appearing that the employment of Parsons Behle is necessary and in the best interests of the Debtors' estates, their creditors and other parties in interest; it is hereby

ORDERED THAT:

1. The Application shall be, and hereby is, GRANTED.

2. Pursuant to section 1103(a) of the Bankruptcy Code, the Committee is authorized to employ and retain the Firm as general bankruptcy counsel at the expense of the chapter 11 estates, *nunc pro tunc* as of May 29, 2009, on the terms set forth in the Application.

1 3. The Firm shall be compensated for such services, and be reimbursed for
2 any related expenses, pursuant to the Application, and the Firm shall file applications and be
3 compensated in accordance with the sections 330 and 331 of the Bankruptcy Code, the
4 Bankruptcy Rules, the Local Rules, and such other procedures as may be fixed by order of this
5 Court.

6 4. If any potential conflict of interest should arise, or if a relevant connection
7 should be made, the Firm shall promptly file a supplemental declaration under Bankruptcy Rule
8 9014.

9 5. This order is entered without prejudice to the rights of the Acting United
10 States Trustee to take appropriate action pursuant to controlling provisions of the Bankruptcy
11 Code in the event that an actual conflict of interest develops or is discovered, including without
12 limitation the right to seek disqualification of the Firm and disgorgement of fees received by the
13 Firm.

14 6. This Court shall retain jurisdiction to hear and determine all matters arising
15 from or related to the implementation of this Order.

16 Dated: July 20, 2009.
17

18 Submitted by:
19

20 PARSONS BEHLE & LATIMER
21

22 By: /s/ J. Thomas Beckett
23 Rew R. Goodenow, Nevada Bar No. 3722
24 J. Thomas Beckett, Utah Bar No. 5587
25 Karl Olsen, Nevada Bar No. 6767
26 David P. Billings, Utah Bar No. 11510

27 *Proposed Counsel to the Official Committee*
28

1
2 Approved by:
3

4 OFFICE OF UNITED STATES TRUSTEE
5

6 By:

7 August B. Landis
300 Las Vegas Boulevard, South, Suite 4300
Las Vegas NV 89101
8

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28